

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building		(2) MEETING DATE June 13, 2006		(3) CONTACT/PHONE Jo Manson, Planner II; (805) 781-4660	
(4) SUBJECT Hearing to consider an appeal by Peter D. Keith / Vaughan Surveys, Inc., of the Planning Director's determination concerning application for Certificates of Compliance C05-0037 (SUB2004-00254), for three parcels of approximately 4.58 acres, 8.06 acres and 35.82 acres in the Agriculture Land Use Category. The project is located at 10798 Bobcat Lane, at the intersection of Bobcat Lane and Huasna Townsite Road, south of the community of Huasna in the Huasna-Lopez Planning Area, APN: 085-012-018. County File Number: SUB2004-00254 . Date application accepted: March 9, 2006. Supervisorial District #4.					
(5) SUMMARY OF REQUEST An appeal, by the property owner/agent, of a Planning Director's decision that deed history does not support the underlying three parcels for which three certificates of compliance are requested. The appellant is requesting recognition by the Board that three individual parcels exist and three unconditional certificates of compliance may be approved rather than accept the staff determination that deeds verifying chain of title conveying the property validate one unconditional certificate of compliance.					
(6) RECOMMENDED ACTION Adopt the resolution denying the appeal and affirming the decision of the Planning Director to recognize one legal parcel through the issuance of one unconditional certificate of compliance for which deed history has been provided for SUB2004-00254 / C05-0037 based on the findings listed in Exhibit A.					
(7) FUNDING SOURCE(S) Appeal Fee (\$604.00)		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): County Counsel					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent <input type="checkbox"/> Limited Term <input type="checkbox"/> Contract <input type="checkbox"/> Temporary Help					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input checked="" type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All		(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board	
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. <u>40 minutes</u>) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)		(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A			
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A			
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) _____		(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input checked="" type="checkbox"/> N/A Date _____	
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: right; margin-top: 20px;"> <i>OK Leslie</i> <i>C-4 6-13-06</i> </div>					



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: BOARD OF SUPERVISORS

FROM: JO MANSON, PLANNER II, INFORMATION SERVICES GROUP

VIA: VICTOR HOLANDA, DIRECTOR OF PLANNING AND BUILDING

DATE: JUNE 13, 2006

SUBJECT: Hearing to consider an appeal by Peter D. Keith / Vaughan Surveys, Inc., of the Planning Director's determination concerning application for Certificates of Compliance C05-0037 (SUB2004-00254), for three parcels of approximately 4.58 acres, 8.06 acres and 35.82 acres in the Agriculture Land Use Category. The project is located at 10798 Bobcat Lane, at the intersection of Bobcat Lane and Huasna Townsite Road, south of the community of Huasna in the Huasna-Lopez Planning Area, APN: 085-012-018. County File Number: **SUB2004-00254**. Date application accepted: March 9, 2006. Supervisorial District #4.

RECOMMENDATION

Adopt the resolution denying the appeal and affirming the decision of the Planning Director to recognize one legal parcel through the issuance of one unconditional certificate of compliance for which deed history has been provided for SUB2004-00254 / C05-0037 based on the findings listed in Exhibit A.

DISCUSSION

On March 9, 2006, planning staff wrote a letter (attachment #4) to Vaughan Surveys, Inc., agent for Peter D. Keith, in response to an application for three (3) unconditional certificates of compliance (C05-0037). The application requested legal parcel recognition of portions of particular lots of the Subdivisions of part of the Rancho Huasna, "The Property of Mrs. Flora Harloe", a map which was recorded on August 9, 1905 in Book 1, Page 88 of Maps. On August 8, 1905 all of the roads and streets delineated on this map were accepted as and declared to be public streets by the San Luis Obispo County Board of Supervisors in pursuance of the provisions of Art. 3, Chap. CXXIV of the Statutes of California of the year 1901. Therefore, the full lots depicted on this 1905 map are recognized as legal parcels. The appeal before you today pertains to the legal status of portions of Lots 7 and 11. After evaluation of the information and the deed history/chain of title submitted in the application and consideration of relevant court case determinations, planning staff concluded that the deed history did not support three (3) underlying legal parcels for these portions of lots. Planning staff

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concluded that the deed history does support one (1) underlying legal parcel for which one (1) unconditional certificate of compliance can be approved.

An appeal was filed on March 21, 2006, by the property owner/agent. The appellant is requesting recognition by the Board that three (3) individual legal parcels exist and three (3) unconditional certificates of compliance must be approved rather than accept the staff determination that deeds verifying chain of title conveying the property validate one (1) unconditional certificate of compliance. The appellant's position is illustrated in Attachment 1-E. The following comments and analysis discuss the issues raised in the appeal.

BACKGROUND

In order to confirm the legal status of the portions of Lot 7 and Lot 11 as three (3) separate legal parcels the applicant would need to provide deeds dated prior to 1966 that separate each proposed parcel from surrounding lands. If the lot portions had been deeded separately from surrounding land, the deeds could then provide the evidence of separate legal parcels if the deeds were dated prior to 1966 for parcels that are less than forty (40) acres in size. The applicant has not submitted evidence of separate conveyances for each of the lot portions separating them from surrounding land to effectuate their creation.

After evaluation of the deed history submitted in the application as well as additional deed research conducted by planning staff in the County Clerk-Recorder's Office and consideration of relevant court case determinations, planning staff has concluded that none of the requested properties for which unconditional certificates of compliance are requested were separated from surrounding lands and therefore one (1) unconditional certificate of compliance could be approved for the entire subject area consisting of portions of Lots 7 and 11 as one (1) legal parcel based on the deed history.

In 1905, three (3) deeds were recorded which conveyed the portions of the subject property and other contiguous properties. The first conveyance (67 Deeds 342) included requested certificate parcel #2 and other contiguous properties (attachment #5). The second conveyance (67 Deeds 450) included requested certificate parcel #3 and other contiguous properties (attachment #6). The third conveyance (67 Deeds 454) included certificate parcel #1 and other contiguous properties (attachment #7).

In order to confirm the legal status of portions of Lots 7 and 11 as three (3) separate legal parcels, the other properties within each 1905 deed would have needed to be deeded away from the requested certificate parcels prior to 1966, separating them from the requested certificate parcels. The applicant has not submitted evidence of separate conveyances prior to 1966 for each of the requested certificate parcels separating them from surrounding land to effectuate their creation as valid parcels.

The entire subject property (approximately 50 acres) was conveyed in 1969 (1528 OR 498). If the entire subject property was deeded separately from surrounding land, the

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deed could provide the evidence of a separate legal parcel if the deed was dated prior to 1972 for parcels such as this that are over forty (40) acres in size. Therefore, planning staff concluded that the deed history supports one (1) underlying legal parcel for which one (1) unconditional certificate of compliance can be approved.

APPEAL ISSUES

Issue #1:

The lot lines within the property were originally created by deed in 1905, and have continued to exist since creation, as shown on various Parcel Maps adjoining the Property and Record of Survey Maps of the property.

Response #1:

In 1905 three (3) deeds were recorded which conveyed the subject property and other contiguous properties. The first conveyance (67 Deeds 342) included requested certificate parcel #2 and other contiguous properties. The second conveyance (67 Deeds 450) included requested certificate parcel #3 and other contiguous properties. The third conveyance (67 Deeds 454) included certificate parcel #1 and other contiguous properties. The applicant has not submitted evidence of separate conveyances prior to 1966 for each of the requested certificate parcels separating them from surrounding land to effectuate their creation as valid parcels.

On November, 1, 1968 a Record of Survey was recorded in Book 16, Page 79 of Record of Surveys (attachment #8). This survey included all of the properties specified in the three (3) 1905 deeds as referenced by the appellant. Eleven (11) parcels were delineated on the survey. Survey parcel #10 is the subject parcel in its entirety consisting of the three (3) requested certificate parcels (APN: 085-012-018). Each of the survey parcels were forty (40) or more acres in size. In 1968 a record of survey could not create separate legal parcels. However, if a property was deeded separately from surrounding land, the deed could provide the evidence of a separate legal parcel if the deed was dated prior to 1972 for parcels that are over forty (40) acres in size. Additional deed history conducted by planning staff at the County Clerk-Recorder's Office revealed that each of the survey parcels contiguous to the subject property was conveyed prior to 1972 as referenced in the evaluation of deeds provided below. Therefore, each of the contiguous survey parcels were separated from surrounding land to effectuate their creation as valid parcels. Subsequently, some of the contiguous survey parcels were the subject of later parcel maps and lot line adjustments as referenced by the appellant.

KEITH EVALUATION OF DEEDS

67 Deeds 342 **1905**

This deed describes a portion of Lot 7 (approximate east half; includes requested certificate parcel #2 and other contiguous properties) (see attachment #5).

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67 Deeds 450	1905	This deed describes Lot 11 (includes requested certificate parcel #3 and other contiguous properties) (see attachment #6).
67 Deeds 454	1905	This deed describes a portion of Lot 7 (approximate west half; includes requested certificate parcel #1 and other contiguous properties) (see attachment #7).
246 OR 1445	1938	Lot 7
1099 OR 425	1960	Lots 7 and 11
1263 OR 384	1963	APN: 085-012-019
1397 OR 167	1966	APN: 085-012-004; Record of Survey parcel #1.
1415 OR 185	1966	Right-of-Way deed along north side of subject property.
1487 OR 458	1968	APNS: 085-012-012, -013, -014 and -015; Record of Survey parcel #9.
1497 OR 204	1968	APNS: 085-012-016 and -017; Record of Survey parcel #5.
1504 OR 271	1968	APNS: 085-012-005, -006, -007 and -008; Record of Survey parcel #11.
1509 OR 668	1969	APN: 085-012-009; Record of Survey parcel #2.
1528 OR 498	1969	APN: 085-012-018; Record of Survey parcel #10.
1531 OR 350	1969	APN: 085-012-025; Record of Survey parcel #6.
1537 OR 18	1969	APNS: 085-012-020, -021, -022 and -023; Record of Survey parcel #8.
1539 OR 389	1969	APN: 085-012-024; Record of Survey parcel #7.
1544 OR 190	1969	APN: 085-012-010; Record of Survey parcel #3.

After evaluation of the deed history submitted in the application, staff concluded that none of the requested certificate of compliance parcels had deeds that separated them from surrounding land. Also, to the extent that the 1969 deed (1528 OR 498) cut through the 1905 parcels (which were created by conveyances) as argued by the applicant, such a conveyance in 1969 would have required the prior filing and approval of a final tract map because it would have created six (6) parcels (two in the west half of

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Lot 7, two in the east half of Lot 7, and two in Lot 11). As no final tract map was filed, the three certificate parcels requested by the applicant do not qualify for the issuance of unconditional certificates of compliance. Therefore, in our letter dated March 9, 2006 to the applicant's agent (attachment #4), planning staff indicated that one (1) unconditional certificate of compliance could be approved for the entire subject property. A draft certificate of compliance was included for agent review and concurrence that would be recorded by the County to finalize the application.

Planning staff also noted in the letter that the agent submitted a payment of \$1,109.00 for three (3) unconditional certificates of compliance. The total fees required for one unconditional certificate of compliance were specified in the letter and it was noted that the applicant, Mr. Keith, was entitled to a partial refund.

Conclusion:

The county can legally recognize one (1) legal parcel in the area being requested for three (3) unconditional certificates of compliance.

Staff is recommending that your Board deny the appeal and uphold the decision of the Planning Director by determining that the 1905 conveyances did not in and of themselves create three (3) separate legal lots. Proof of deeds prior to 1966 separating each requested certificate of compliance parcel to effectuate their creation is required and has not been provided. In order to be legally recognized, each requested certificate of compliance parcel would have to be conveyed separately from surrounding lands.

OTHER AGENCY INVOLVEMENT / IMPACT

County Counsel reviewed the staff report for form and legal effect.

FINANCIAL CONSIDERATIONS

An appeal fee was collected in accordance with the county's fee schedule.

RESULTS

Denying the appeal and upholding the decision of the Planning Director will direct staff to approve and record one (1) unconditional certificate of compliance for those portions of Lots 7 and 11 per deed 1528 OR 498 (dated August 12, 1969) together as one (1) legal parcel.

ATTACHMENTS

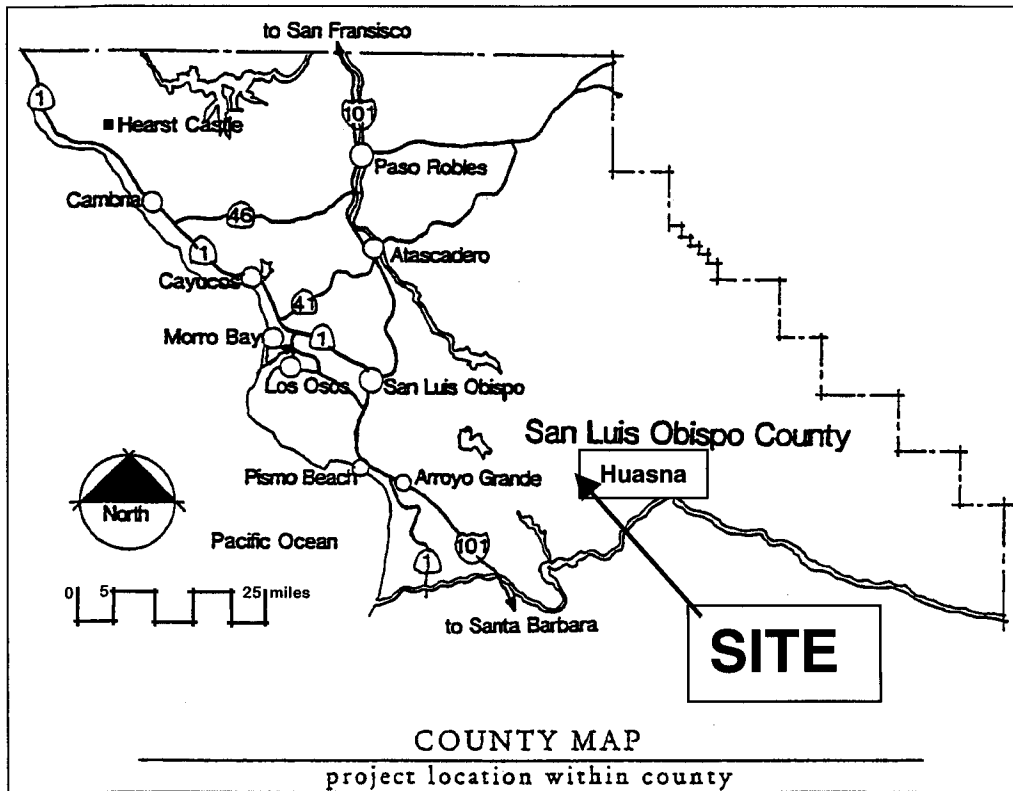
1. Graphics
 - A. Location Map
 - B. APN Map
 - C. Land Use Category Map
 - D. Aerial Photo
 - E. Appellant's Position
2. Resolution with findings (Exhibit A) denying the appeal and upholding the decision of the Planning Director

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3. Appeal letter submitted March 21, 2006
4. Staff letter dated March 9, 2006
5. Map depicting 67 Deeds 342
6. Map depicting 67 Deeds 450
7. Map depicting 67 Deeds 454
8. Book 16, Page 79 of Record of Surveys

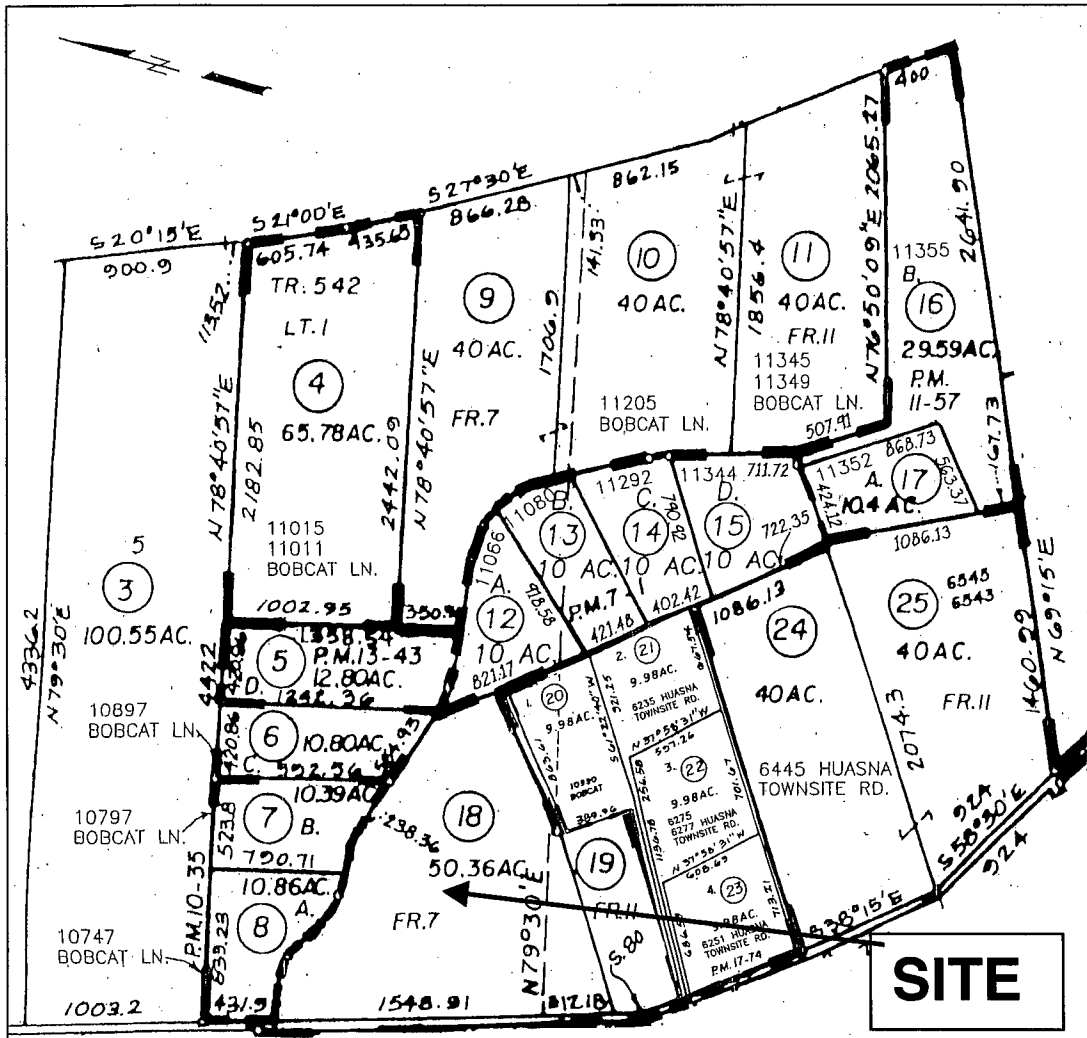
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Attachment 1-A Location Map



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Attachment 1-B APN Map



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AGRICULTURE

HUANAN

TOMSTE

ROAD

BOBCAT LN

Water Tank

1071
167

SITE

94

**Attachment 1-D
Aerial Photo**



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8.0 ac.

35.8 ac.

4.5 ac.

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Attachment 2
Resolution & Findings
Exhibit A

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

13th day June, 2006

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION DENYING THE APPEAL BY PETER D. KEITH AND UPHOLDING THE
DECISION OF THE PLANNING DIRECTOR TO RECOGNIZE ONE LEGAL PARCEL
THROUGH THE ISSUANCE OF ONE UNCONDITIONAL CERTIFICATE OF
COMPLIANCE FOR APPLICATION SUB2004-00254 / C05-0037

The following resolution is hereby offered and read:

WHEREAS, on March 9, 2006, the Planning Director of the County of San Luis Obispo duly considered and determined that the properties qualified for one legal parcel in consideration of the application for three unconditional certificates of compliance and that the property under consideration could not be further processed without additional deeds to verify parcel legality for individual parcels; and

WHEREAS, Peter D. Keith has appealed the Planning Director's determination to the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the "Board of Supervisors") pursuant to the applicable provisions of Title 21 of the San Luis Obispo County Code; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on June 13, 2006, and determination and decision was made on June 13, 2006; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said appeal; and

WHEREAS, the Board of Supervisors has duly considered the appeal and finds that the appeal should be denied and the decision of the Planning Director should be upheld and that one unconditional certificate of compliance should be issued based upon the findings and determinations set forth below.

NOW, THEREFORE BE IT RESOLVED AND ORDERED, by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.

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2. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.

3. That the appeal filed by Peter D. Keith is hereby denied and the decision of the Planning Director is upheld and that issuance of one unconditional certificate of compliance is hereby approved because the parcel has been verified through deed history.

Upon motion of Supervisor _____, seconded by
Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

By: _____
Deputy Clerk

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: 
Deputy County Counsel

Dated: May 31, 2006

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STATE OF CALIFORNIA,)
)
County of San Luis Obispo) ss

I, _____, County Clerk and ex-officio
Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of
California, do hereby certify the foregoing to be a full, true and correct copy of an order
made by the Board of Supervisors, as the same appears spread upon their minute
book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this
_____ day of _____, 2006.

County Clerk and Ex-Officio Clerk of the
Board of Supervisors

(SEAL)

By: _____
Deputy Clerk

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EXHIBIT A
FINDINGS FOR DENYING THE APPEAL AND UPHOLDING THE DECISION
OF THE PLANNING DIRECTOR FOR PETER D. KEITH
C05-0037 / SUB2004-00254

- A. Only properties that were transferred by deed and separated from surrounding land at a time when deeds could transfer property of the size conveyed can be recognized as legal parcels. The deeds could provide the evidence of separate legal parcels if the deeds were dated prior to 1966 for parcels such as these that are less than forty (40) acres in size. Staff requires proof of individual deeds separating each lot from surrounding land to effectuate their creation.
- B. The three (3) unconditional certificates of compliance requested in application C05-0037 rely on deeds recorded in 1905. Since the subject portions of Lots 7 and 11 were not deeded separately from the other surrounding properties identified in each of the 1905 deeds the applicant has not proven the existence of individual legal parcels. Therefore, the requested certificate parcels are not valid remainder parcels.
- C. Deed history/chain of title submitted with the application and additional deed research conducted by planning staff in the County Clerk-Recorder's Office verifies one (1) underlying legal parcel consisting of portions of Lots 7 and 11. The entire subject property (approximately 50 acres) was conveyed in 1969 (1528 OR 498). This deed provides the evidence of a separate legal parcel since the deed is dated prior to 1972 for parcels such as these that are greater than forty (40) acres in size. This individual deed separated the entire subject parcel from surrounding land to effectuate its creation.
- D. To the extent that the 1969 deed (1528 OR 498) cut through the 1905 parcels (which were created by conveyances) as argued by the applicant, such a conveyance in 1969 would have required the prior filing and approval of a final tract map because it would have created six (6) parcels (two in the west half of Lot 7, two in the east half of Lot 7, and two in Lot 11). As no final tract map was filed, the three certificate parcels requested by the applicant do not qualify for the issuance of unconditional certificates of compliance.

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Attachment 3
Appeal Letter - March 21, 2006

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Inland Appeal Application

San Luis Obispo County Department of Planning and Building

PROJECT INFORMATION

Type of permit being appealed:

- ☐ Plot Plan ☐ Site Plan ☐ Minor Use Permit ☐ Development Plan ☐ Variance
☐ Land Division ☐ Lot Line Adjustment ☐ Sending Site Determination ☒ Other Certificate of Compliance

File Number: C05-037

The decision was made by:

- ☒ Planning Director ☐ Building Official ☐ TDC Review Committee ☐ Administrative Hearing Officer
☐ Subdivision Review Board ☐ Planning Commission ☐ Other _____

Date the application was acted on _____

The decision is appealed to:

- ☐ Board of Construction Appeals ☐ Board of Handicapped Access ☐ Planning Commission ☒ Board of Supervisors

2006 MAR 21 PM 4:03
SLO COUNTY
PLANNING/BUILDING
DEPT

BASIS FOR APPEAL

Appeal Reasons: Please state your reasons for the appeal. In the case of a Construction Code Appeal, note specific code name and sections disputed (*attach additional sheets if necessary*). Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

See attached explanation

Specific Conditions. The specific conditions that I wish to appeal that relate to the above referenced grounds for appeal are:

Condition Number	Reason for appeal (<i>attach additional sheets if necessary</i>)

APPELLANT INFORMATION

Print name: Vaughan Surveys on behalf of Peter Keith, property owner

Address: 1101 Riverside Ave., Paso Robles, CA 93446

Phone Number (daytime): 805-238-5725

We have completed this form accurately and declare all statements made here are true.

Signature

March 21, 2006

Date

OFFICE USE ONLY

Date Received: 3/21/06

Amount Paid: 6074.60

By: Vaughan Surveys

Receipt No. (if applicable): 3356

Revised 7/31/01/ep

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600 • 1-800-834-4636

EMAIL: ipcplng@slonet.org

FAX: (805) 781-1242

WEBSITE: <http://www.slocoplanbldg.com>

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C05-0037, Certificate of Compliance Application
SUB 2004-00254
Peter Keith

SLO COUNTY
PLANNING/BUILDING
DEPT
2006 MAR 21 PM 4:04

Addendum to Appeal Application

We hereby appeal staff's decision to deny the property owner's request for 3 Certificates of Compliance on the subject property.

The lot lines within the property were originally created by deed in 1905, and have continued to exist since creation, as shown on various Parcel Maps adjoining the property and Record of Survey Maps of the property.

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Attachment 4
Staff Letter – March 9, 2006

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SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

March 9, 2006

Vaughan Surveys
1101 Riverside Ave.
Paso Robles, CA 93446

SUBJECT: Certificates of Compliance C05-0037 (Peter D. Keith)

Dear Mr. Vaughan:

The Department of Planning and Building has reviewed the materials submitted with the application for Peter D. Keith for three (3) unconditional certificates of compliance. Tami Poe of your staff provided us with approximate acreages for each of the requested certificate of compliance parcels starting at the most northern requested parcel: 8.06 acres, 35.82 acres and 4.58 acres. In order to confirm the legal status of APN: 085-012-018 as three (3) separate legal parcels, you would need to submit a separate pre-1966 deed for each requested property separating each property from the surrounding land. Each deed would need to describe each property in its current configuration. If the parcels have been deeded and separated from the surrounding land, the deeds could provide the evidence of separate legal parcels if the deeds were dated prior to 1966 for lots such as these that are less than forty (40) acres in size.

You provided a number of deeds for the subject property; however, you did not provide a complete chain of title. After reviewing the deeds you provided and researching the matter further in the County Clerk-Recorder's Office, planning staff have concluded that none of these particular parcels have been created by a separate pre-1966 deed that separates them from surrounding land. Our analysis of the deed history indicates that a single property was created by the Grant Deed 1528 OR 498, dated August 12, 1969 and recorded August 22, 1969, which describes the entire 50.4 acre parcel in its current configuration and separated the parcel from surrounding land. To create smaller parcels at this time would have required approval of a parcel map. Consequently, this Grant Deed confirms one (1) legal parcel for which an unconditional certificate of compliance can be approved. Therefore, we will act to approve one (1) unconditional certificate of compliance for the entire subject property on March 23, 2006.

Attached for your review is the certificate of compliance and legal description that will be recorded by the County to finalize the application. Review the legal description carefully and please contact our office if you have any concerns or questions regarding the description on the certificate.

You submitted a payment of \$1,109.00 for three (3) unconditional certificates of compliance. The fee for one (1) unconditional certificate of compliance is \$509.00. The cost for recording

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the document is \$ 27.00, which includes a \$17.00 transfer fee. If a map exhibit is required an additional recording fee of \$3.00 will also need to be submitted. The total fees required for one unconditional certificate of compliance are \$509.00 + \$27.00 = \$536.00 (or \$539 if a map exhibit is requested). Therefore, Mr. Keith would be entitled to a refund of \$573.00 (or \$570.00 if a map exhibit is requested). Upon your concurrence and after the recording of one (1) unconditional certificate of compliance, I will forward paperwork to our accounting section to process the refund to Mr. Keith.

If you do not agree with the decision made by the department, you may appeal this determination to the County Board of Supervisors. You must appeal the decision within 14 days from the action date, which is the date of this correspondence. If you wish to appeal, please submit the request on the appropriate department appeal form to the Planning Commission Secretary along with the appropriate appeal fee.

If you have any questions concerning your project or this notice, please contact me at (805) 781-4660 or email me at jmanson@co.slo.ca.us.

Sincerely,

Victor Holanda, AICP, Director Department of Planning and Building

By 

Jo S. Manson, Planner II
Information Services Group

Enclosure: Draft Certificate of Compliance

cc: Peter D. Keith
865 Charles St.
Grover Beach, CA 93433

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RECORDING REQUESTED BY
SAN LUIS OBISPO COUNTY

WHEN RECORDED, RETURN TO:

Director of Planning and Building
County Government Center
San Luis Obispo, California 93408
ATTN: Jo S. Manson

APN(S): 085-012-018
PROJECT NO: C05-0037
PARCEL NO: 1
FILE NO: SUB2004-00254

DRAFT

CERTIFICATE OF COMPLIANCE

California Government Code Section 66499.35(a)



This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The following described single parcel of real property has been determined to be in compliance with the applicable provisions of the Subdivision Map Act and local ordinance enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.

Said parcel of real property is situated in the unincorporated area of the County of San Luis Obispo, State of California, being described as follows:

As described in Exhibit A attached to this certificate and incorporated herein as if set forth in full.

RECORD OWNER(S):

Peter D. Keith and Carol Lee Keith, husband and wife
as joint tenants.

STATE OF CALIFORNIA)

COUNTY OF SAN LUIS OBISPO)

) SS
)

(SEAL)

VICTOR HOLANDA

Director, Department of Planning and Building

By: _____
Jo S. Manson, Planner II

On this ____ day of _____, in the year 20____,
before me, Mary L. Velarde, Notary Public, personally appeared
_____, personally known to
me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s) or the entity upon
behalf of which the person(s) acted, executed the instrument.

Witness my hand and official seal.

Mary L. Velarde, Notary Public

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APN(S): 085-012-018
PROJECT NO: C05-0037

FILE NO: SUB2004-00254
PARCEL NO: 1

EXHIBIT A

Legal Description

DRAFT

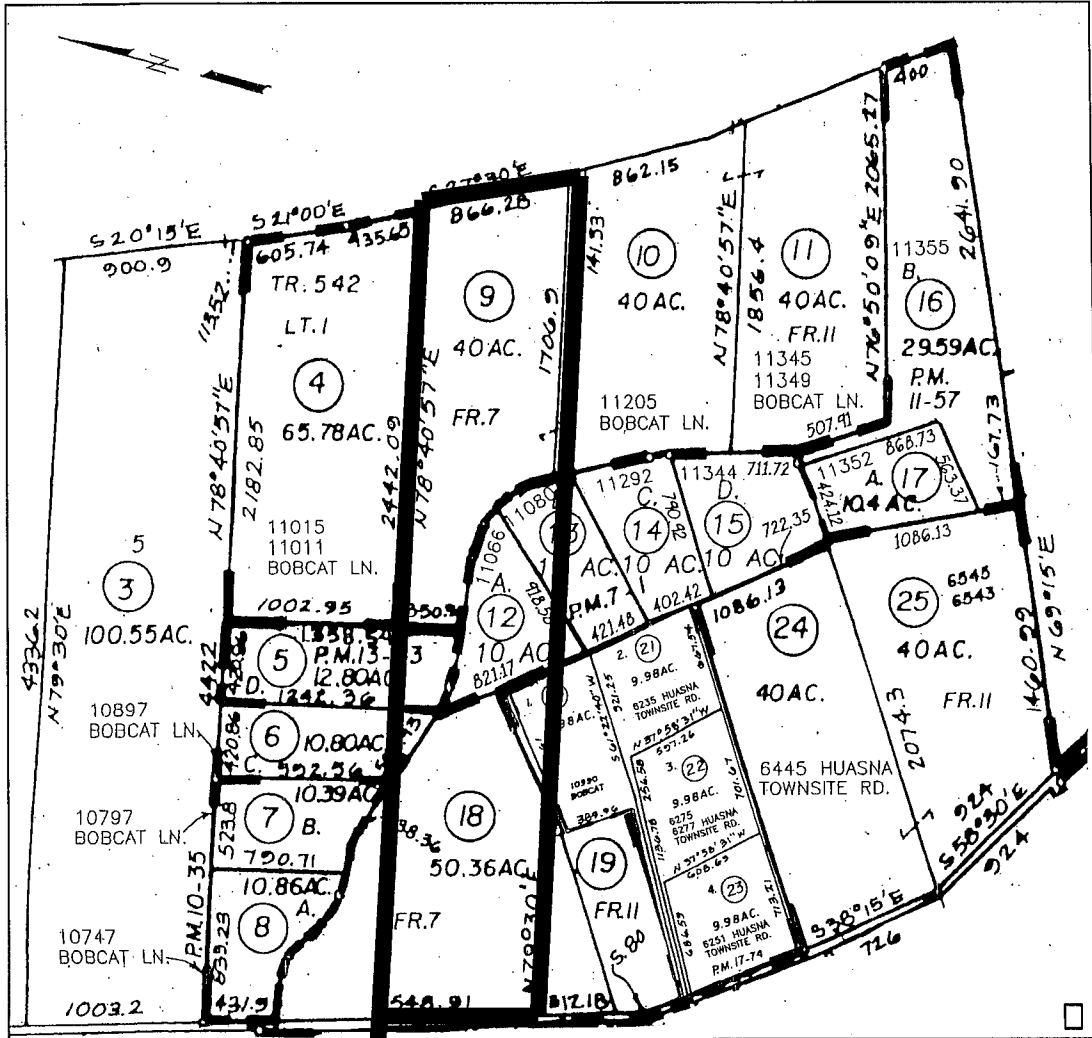
THOSE PORTIONS OF LOTS 7 AND 11 OF THE SUBDIVISIONS OF PART OF THE RANCHO HUASNA, "THE PROPERTY OF MRS. FLORA HARLOE", IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1, PAGE 88 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID LOT 7, THAT IS DISTANT ALONG SAID WESTERLY LINE, SOUTH 16° 17' 57" EAST 431.90 FEET FROM THE NORTHWESTERLY CORNER OF SAID LOT 7, SAID NORTHWESTERLY CORNER BEING DESIGNATED AS "S-72" ON SAID MAP; THENCE NORTH 79° 10' 20" EAST 115.85 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE, SOUTHERLY, HAVING A RADIUS OF 400.00 FEET; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 40° 13' 04", AN ARC DISTANCE OF 280.77 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 60° 36' 36" EAST 252.10 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 400.00 FEET; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 31° 23' 30", AN ARC DISTANCE OF 219.16 FEET; THENCE TANGENT TO SAID CURVE, NORTH 87° 59' 54" EAST 223.55 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY HAVING A RADIUS OF 400.00 FEET; THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 21° 22' 31", AN ARC DISTANCE OF 149.23 FEET, THENCE TANGENT TO SAID CURVE SOUTH 70° 37' 35" EAST 823.29 FEET; THENCE ALONG THE WESTERLY BOUNDARY OF THE LAND DESCRIBED IN PARCEL 1 OF THE DEED TO WILLIAM L. JONES AND WIFE, RECORDED AUGUST 20, 1968 IN BOOK 1487, PAGE 458 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SOUTH 19° 22' 15" WEST 30.00 FEET AND SOUTH 37° 59' 20" EAST 410.16 FEET; THENCE SOUTH 55° 01' 38" WEST 863.33 FEET; THENCE SOUTH 65° 01' 48" WEST 1079.78 FEET TO THE WESTERLY LINE OF SAID LOT 11; THENCE ALONG SAID WESTERLY LINE NORTH 15° 30' 00" WEST 312.18 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 11, BEING DESIGNATED ON SAID MAP AS "S-76"; THENCE ALONG THE WESTERLY LINE OF SAID LOT 7, NORTH 16° 17' 57" WEST 1548.91 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF SAID LAND INCLUDED WITHIN THE LINES OF THE LAND DESCRIBED IN PARCEL 1 OF THE DEED TO ARTHUR H. TANORE, RECORDED OCTOBER 9, 1967 IN BOOK 1451, PAGE 466 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

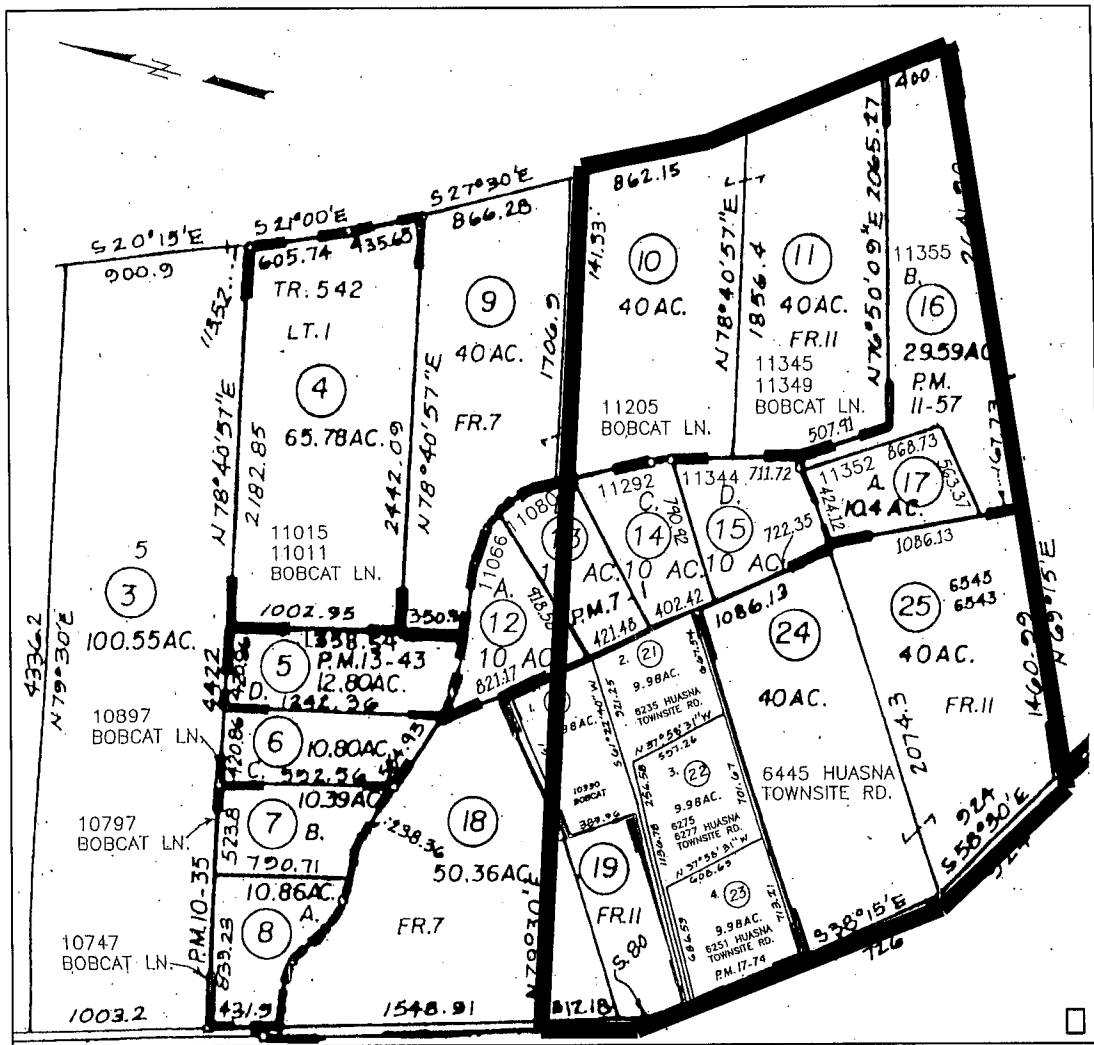
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Attachment 5 67 Deeds 342

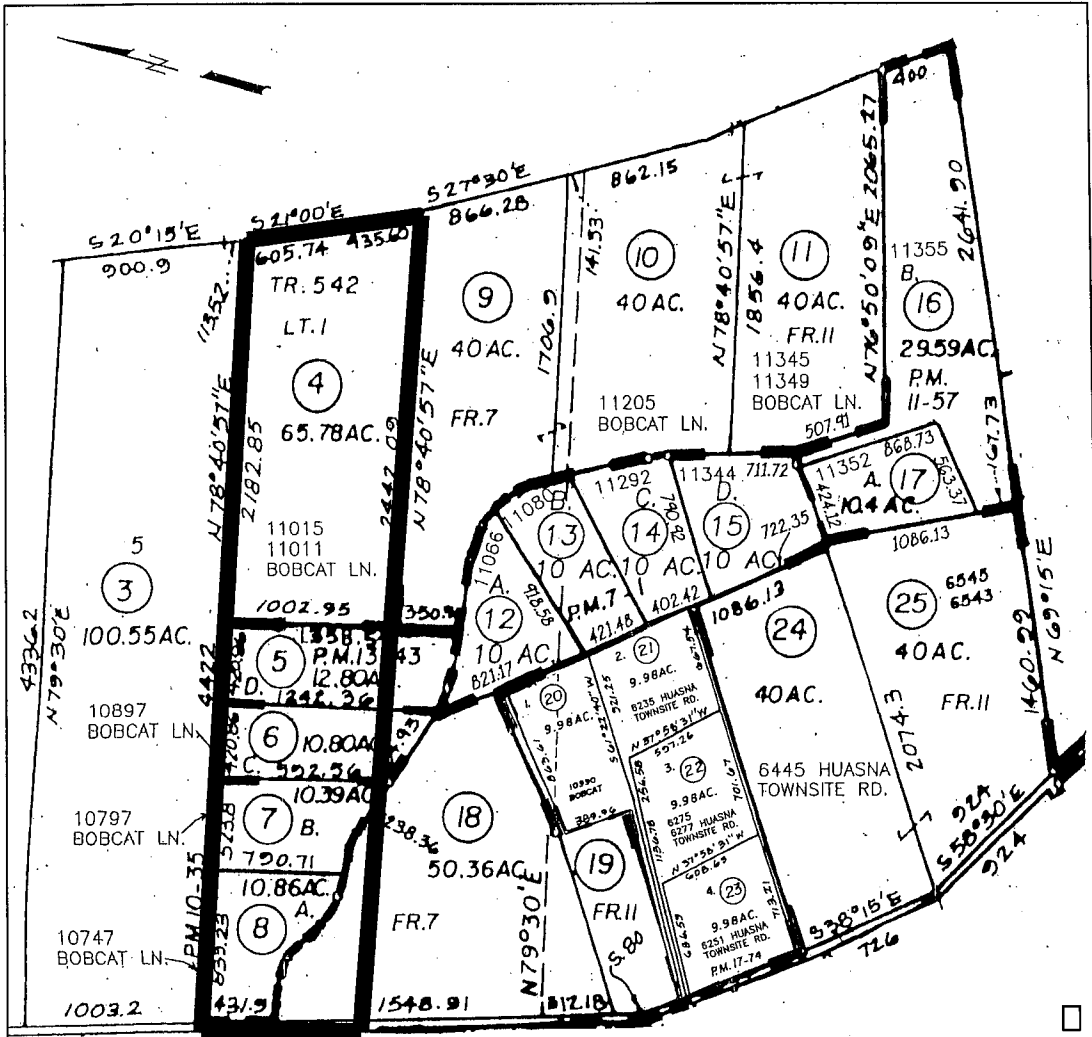


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54



Attachment 7 67 Deeds 454



Handwritten signature or initials.

Attachment 8 Book 16, Page 79 of Record of Surveys

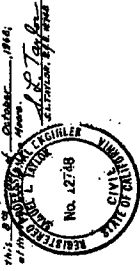
79

SURVEY DATA
The 2025 of Survey of this survey was taken
by the Surveyor of County, Board his when
as exhibited from a 30 x 30 ft. as shown on record
map in Book 1, Page 80, Licensed Survey, in
the County Recorder's office, San Luis Obispo
County, California, the bearing being north
as 51° 50' 12".

Indicates monument found on site
Indicates monument found on site

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made
by the Surveyor of County, Board his when
as exhibited from a 30 x 30 ft. as shown on record
map in Book 1, Page 80, Licensed Survey, in
the County Recorder's office, San Luis Obispo
County, California, the bearing being north
as 51° 50' 12".



COUNTY SURVEYOR'S CERTIFICATE

This map has been examined for conformity
with the requirements of the Land Surveyors Act
and the requirements of the County Surveyors Act
and is hereby certified to be correct.

RECORDER'S CERTIFICATE

This map is a true and correct copy of the
original map as filed in the County Recorder's
office, San Luis Obispo County, California, the
bearing being north as 51° 50' 12".

RECORD OF SURVEY

of a portion of

LOTS 7 & 11

of the subdivision of part of the

RANCHO HUASNA

"THE PROPERTY OF THE PEOPLE OF CALIFORNIA"

COUNTY OF SAN LUIS OBISPO, CALIFORNIA

Scale 1"=500' October 1968

Prepared at the request of the owner

BY

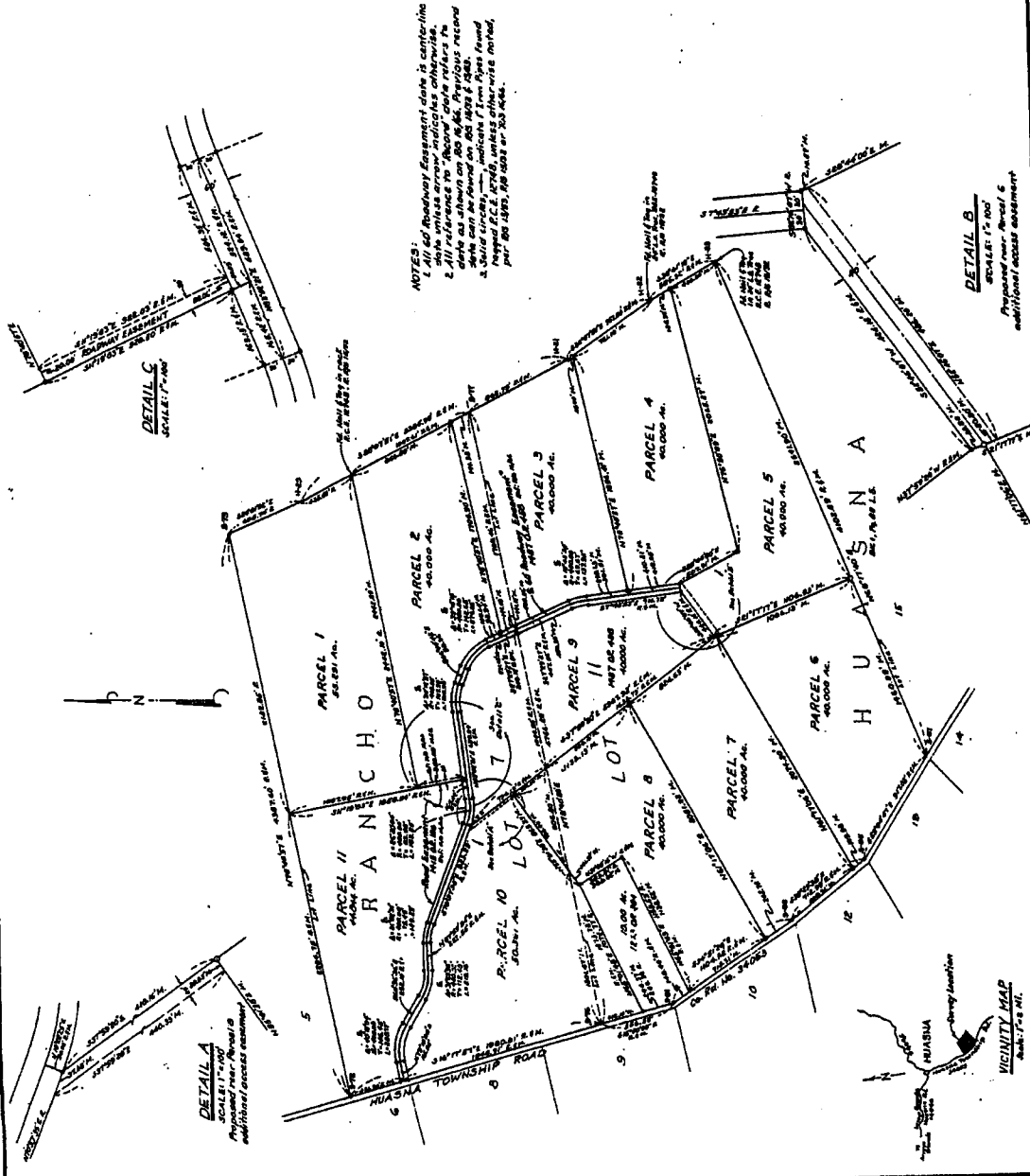
J. L. TAYLOR

Civil Engineer

Arroyo Grande, California

GT-5002

NOTES:
1. All of Boundary Easement data is contained
in the "Notes" section of this map.
2. All reference to "Notes" data refers to
data as shown on the map. The map shows
the location of the easement and the location
of the easement. The map shows the location
of the easement and the location of the easement.
3. The map shows the location of the easement
and the location of the easement.



DETAIL B

SCALE: 1"=500'

Prepared near Parcel 6

Additional detail statement

DETAIL A

SCALE: 1"=500'

Prepared near Parcel 1

Additional detail statement

754